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15 Attorneys for Plaintiff United States of America

16 UNITED STATES DISTRICT COURT

17 EASTERN DISTRICT OF CALIFORNIA

18 United States of America,

19 Plaintiff,

20 v.

21 CB SURETY, LLC, et al.,

22 Defendants.
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Civil Case No. 2:23-cv-02812-TLN-DB

PLAINTIFF'S REQUEST FOR ENTRY OF
DEFAULT BY THE CLERK AGAINST
DEFENDANTS BRYAN BASS AND BASS
BUSINESS CONSULTANTS

1 To The Clerk of the Above-Entitled Court:

2 Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiff the United States
3 of America requests that the Clerk of the Court enter Default in this matter against Defendants
4 Bryan Bass and Bass Business Consultants for their failure to appear or otherwise respond to the
5 government's Complaint within the time prescribed by Rule 12(a)(1)(A)(ii) of the Federal Rules
6 of Civil Procedure.

7 On December 1, 2023, the United States filed its Complaint (ECF No. 1). On January 26,
8 2024, Pursuant to Rule 4 of the Federal Rules of Civil Procedure, the United States sent
9 Defendant Bass, individually, and in his capacity as a director of Defendant Bass Business
10 Consultants, a request that he and Bass Business Consultants waive service (ECF Nos. 73 and
11 74). Pursuant to Rule 12(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Defendants Bass
12 and Bass Business Consultants, who the United States understands to be in a judicial district
13 outside the United States, had 90 days from the date the request for a waiver was sent to answer
14 or otherwise respond to the Complaint. Therefore, a response was due from Defendants Bass and
15 Bass Business Consultants by April 25, 2024.

16 As of the date of this Request, the United States has not received a response from
17 Defendants Bass and Bass Business Consultants, nor is there record of an answer or other
18 response to the Complaint entered on the Court's electronic docket. Filed contemporaneously
19 with this Request is an affidavit of counsel, attesting the same.

20 Rule 55(a) of the Federal Rules of Civil Procedure provides that "[w]hen a party against
21 whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that
22 failure is shown by affidavit or otherwise, the clerk must enter the party's default." Accordingly,
23 the government requests that the Clerk of the Court enter default against each of the above-listed
24 Defendants for their failure to answer, plead, or otherwise defend.

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2 Dated: May 10, 2024

Respectfully submitted,

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4 PHILLIP A. TALBERT
United States Attorney

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CERTIFICATE OF SERVICE

I certify that on May 10, 2024, a copy of foregoing Request for Entry of Default was served on the parties by the following methods:

CM/ECF:

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